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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,614	11/26/2003	Ronald S. Karr	5760-09200	7091
35690 7590 10/23/2008 MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398				
EXAMINER				
TSAL SHENG JEN				
ART UNIT		PAPER NUMBER		
2186				
MAIL DATE		DELIVERY MODE		
10/23/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte RONALD S. KARR, OLEG KISELEV,  
and ALEX MIROSCHNICHENKO

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Application No. 10/722,614  
Technology Center 2100

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Mailed: October 22, 2008

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Before KRISTA ZELE, *Deputy Chief Appeals Administrator*,  
ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on Aug. 18, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

**INFORMATION DISCLOSURE STATEMENT**

Appellants filed an Information Disclosure Statement (IDS) dated September 24, 2007. There is no indication on the record that the Examiner has considered the above IDS. MPEP § 609 requires the Examiner to consider any IDS filed by Applicant if timely submitted. A written communication notifying Appellants of the Examiner's consideration of the above IDS is required.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner to;

- 1) properly consider the IDS filed September 24, 2007;
- 2) to provide notification to Appellants as to the entry status of the IDS;
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ

rwk

cc: MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
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